

10088-95

05-11-2010

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
PREVENTION, PESTICIDES
AND TOXIC SUBSTANCES

Mr. Adam Swader
Athea Laboratories, Inc.
P.O. Box 240014
Milwaukee, WI 53224

MAY 11 2010

Subject: Label Notification(s) for Pesticide Registration 2007-4

Dear Mr. Swader:

The Agency is in receipt of your Application(s) for Pesticide Notification under Pesticide Registration Notice (PRN) 2007-4 dated for March 25, 2010

EPA Registration Number: 10088-95 Permicide

The Registration Division (RD) has conducted a review of this request for applicability Under PRN 2007-4 and finds that the label change(s) requested falls within the scope of PRN-2007-4. The label has been date-stamped "Notification" and will be placed in our records.

Please be reminded that 40 CFR Part 156.140(a)(4) requires that a batch code, lot number, or other code identifying the batch of the pesticide distributed and sold be placed on non-refillable containers. The code may appear either on the label (and can be added by non-notification/PR Notice 98-10) or durably marked on the container itself.

If you have any questions, please contact Melody Banks on 703 305-5413.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard Gebken".

Richard Gebken
Product Manager
Insecticide Branch
Registration Division (7504P)



March 25, 2010

Document Processing Desk (NOTIF)
Office of Pesticide Programs (7504P)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, DC 20460-0001

**Subject: Storage and Disposal Update
Pesticide
EPA Registration No. 10088-95**

To Whom It May Concern:

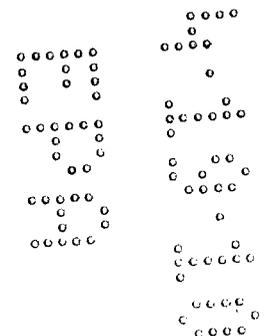
Please find the enclosed one label marked with changes and Form 8570-1 stating the following:

Notification of label change per PR Notice 2007-4. This notification is consistent with the guidance in PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or Confidential Statement of Formula for this product. I understand that it is a violation of 18 U.S.C. SEC. 1001 to willfully make any false statement to EPA. I further understand that if the amended label is not consistent with requirements of 40 CFR §§ 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA.

If there are any questions in regards to this notification please contact me at 414-354-6417 ext. 215 or email me at aswader@athea.com.

Thank You,

Adam Swader
Regulatory Compliance Specialist
Enclosures



Please read instructions on reverse before completing form.

Form Approved JMB No. 2070-0080



United States
Environmental Protection Agency
Washington, DC 20460

<input type="checkbox"/>	Registration
<input type="checkbox"/>	Amendment
<input checked="" type="checkbox"/>	Other

OPP Identifier Number

Application for Pesticide - Section I

1. Company/Product Number 10088-95	2. EPA Product Manager	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Pesticide	PM# 13	
5. Name and Address of Applicant (Include ZIP Code) Athea Laboratories, Inc. P.O. Box 240014 Milwaukee, WI 53224 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

Section - II

<input type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____	NOTIFICATION MAY 11 2010
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.	
<input checked="" type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.	

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Notification of minor label changes per PR Notice 2007-4. See attached cover letter

Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____		
* Certification must be submitted		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per container		
3. Location of Net Contents Information <input checked="" type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container N/A		5. Location of Label Directions <input checked="" type="checkbox"/> On Label <input type="checkbox"/> On Labeling accompanying product	
6. Manner in Which Label is Affixed to Product <input checked="" type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input checked="" type="checkbox"/> Other Silkscreened		

Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)		
Name Adam Swader	Title Regulatory Comp Spec.	Telephone No. (Include Area Code) 414-354-6417
Certification I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment both under applicable law.		6. Date Application Received (Stamped)
2. Signature 	3. Title Regulatory Comp Spec.	
4. Typed Name Adam Swader	5. Date Mar 25, 2010	

PRECAUTIONARY STATEMENTS

Wash thoroughly after handling and before smoking or eating.

For information on this pesticide (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to water, to areas where surface water is present, or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

STORAGE AND DISPOSAL

Do Not Contaminate Water, Foods, or Feeds by Storage or Disposal.

Pesticide Storage: Store in a dry place, no lower in temperature than 50°F or higher than 120°F.

Pesticide Disposal: Pesticide wastes are acutely hazardous. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

Container Disposal: Nonrefillable container. Do not reuse or refill container. Offer for recycling, if available. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat procedure two more times.

Container Disposal For Greater than 5 gallons

Container Disposal: Nonrefillable container. Do not reuse or refill container. Clean container promptly after emptying. Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank. Fill container 1/4 full with water. Replace and tighten closures; tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

PERMICHIDE

READ ENTIRE LABEL BEFORE EACH USE.

FOR COMMERCIAL/AGRICULTURAL USE ONLY.

A READY-TO-USE STABLE EMULSION INSECTICIDE.

FOR USE OUTDOORS, IN HOMES AND NON-FOOD AREAS OF FOOD/FEED PROCESSING ESTABLISHMENTS, KENNELS, COMMERCIAL BUILDINGS, WAREHOUSES, THEATERS, OFFICE BUILDINGS, SCHOOLS, MOTELS AND HOTELS.

FOR CONTROL OF FLEAS, BROWN DOG TICKS AND LICE ON PREMISES AND ON DOGS.

FOR CONTROL OF TICKS WHICH MAY CAUSE LYME DISEASE ON PREMISES.

CONTROLS FLEAS AND TICKS ON DOGS FOR 35 DAYS.

AIDS IN CONTROL OF TICKS ON DOGS FOR AN ADDITIONAL 2 WEEKS.

ACTIVE INGREDIENT:

* Permethrin	0.50%
INERT INGREDIENTS:	99.50%
TOTAL	100.00%

* (3-phenoxyphenyl) methyl (±) cis/trans 3-(2,2-dichloroethyl) 2,2-dimethylcyclopropanecarboxylate. Cis/trans ratio: min. 35% (±) cis and max. 65% (±) trans.

KEEP OUT OF REACH OF CHILDREN

See Side Panel For Additional Precautionary Statements.

EPA REG. NO. 10088-95

EPA EST. 10088-WI-1

NET CONTENTS:

(Insert container size here, expressed in gallons/ounces with the option to add the metric equivalent.)

Manufactured By:

**Athea Laboratories Inc
PO Box 240014
Milwaukee, WI 53224**

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Avoid contamination of feed and feedstuffs. Remove pets and birds and cover fish aquaria before space spraying or surface applications. Do not use on humans. Vacate room after treatment and ventilate before re-occupying. Do not allow children or pets to contact treated areas until surfaces are dry.

Not for use on plants being grown for sale or other commercial use, or for commercial seed production, or for research purposes. For use on plants intended for aesthetic purposes or climactic modification and being grown in ornamental gardens or parks, or on golf courses or lawns and grounds.

SHAKE WELL BEFORE USING.

INDOOR APPLICATION:

Do not use in food/feed areas of food/feed handling establishments, restaurants or other areas where food/feed is commercially prepared or processed. Do not use in serving areas while food is exposed or facility is in operation. Serving areas are areas where prepared foods are served such as dining rooms but excluding areas where foods may be prepared or held. In the home, all food processing surfaces and utensils should be covered during treatment or thoroughly washed before use. Exposed food/feed should be covered or removed.

Nonfood/feed areas are areas such as garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, garages, mop closets and storage (after canning or bottling).

Vacate treated areas and ventilate before reoccupying. For maximum effectiveness, a combination of spot, surface treatment and fogging is recommended.

Do not apply in classrooms while in use. Do not apply this product in occupied patient rooms or in any rooms/areas while occupied by patients, the elderly or infirm. Do not apply to institutions (including libraries, sports facilities, etc.) in the immediate area when occupants are present.

SURFACE SPRAYING:

TO CONTROL COCKROACHES, WATERBUGS, PALMETTO BUGS, SCORPIONS, MILLIPEDES, CENTIPEDES, SOWBUGS, PILLBUGS, ANTS, SILVERFISH, FIREBRATS, SPIDERS, CRICKETS, CLOVER MITES, CHEESE MITES, GRANARY WEEVILS, RICE WEEVILS, CONFUSED FLOUR BEETLES,

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RUST RED FLOUR BEETLES, DRUGSTORE BEETLES, MEAL WORMS, GRAIN MITES AND CADELLES: Direct the spray into hiding places, cracks and crevices, and behind shelves and drawers. For silverfish, spray bookcases. For ants, spray trails, nests and points of entry.

TO CONTROL CARPET BEETLES: Spray edges of carpeting and under carpeting and rugs. Make localized application to floor and baseboards. Spray directly into cracks, crevices and infested areas of shelving.

TO CONTROL BEDBUGS: Spray mattresses lightly, particularly around tufts and seams. Take beds apart and spray in all joints. Treat baseboards, moldings and floors. Allow all treated articles to dry thoroughly before use.

TO CONTROL FLEAS (ADULTS AND LARVAE) AND TICKS, INCLUDING TICKS WHICH MAY CARRY LYME DISEASE (ADULTS AND LARVAE): Thoroughly spray infested areas, pet beds, resting quarters, nearby cracks and crevices, along and behind baseboards, moldings, window and door frames, and entire areas of floor and floor covering. Fresh bedding should be placed in animal quarters following treatment. Allow to dry thoroughly before allowing pets to contact treated areas.

TO CONTROL CLOTHES MOTHS: Remove any infested articles from storage, brush thoroughly, and air for several hours in sunlight, if possible. Apply spray liberally to empty chests, closets, bureaus and other storage, directing the spray into cracks, joints and crevices. After airing, infested articles may be treated lightly, keeping nozzle at least three feet from fabric to avoid staining.

TO KILL LICE AND LOUSE EGGS: Spray in an inconspicuous area to test for possible staining or discoloration. Inspect again after drying, then proceed to spray entire area to be treated. Spray from a distance of 8 to 10 inches. Treat only those garments and parts of bedding, including mattresses and furniture that cannot be either laundered or dry cleaned. Allow all treated articles to dry thoroughly before use.

SPACE SPRAYING:

Close doors and windows and shut off ventilating systems. Apply with a good machine adjusted to deliver a fine mist or fog. For rapid control of *House Flies, Fruit Flies, Gnats, Mosquitoes, Skipper Flies, Wasps, Hornets, Bees, Black Flies, Angoumois Grain Moths, Mediterranean Flour Moths, Indian Meal Moths and Tobacco Moths:* Direct spray at an upward angle, distributing it uniformly throughout the entire area at a rate of 1 ounce per 1000 cubic feet of space. Keep area closed for 2 hours. Ventilate before reoccupying.

Athea Laboratories Inc
Product Name: Permicide
EPA REG. NO. 10088-95

FOGGING:

To kill exposed or accessible stages of the above named crawling insects, use at rate of 1 gallon to 20,000 to 40,000 cubic feet of space. Contact insects directly when possible. Keep area closed for 2 hours. Ventilate before reoccupying.

ON LIVESTOCK:

To protect cattle (beef and dairy), goats, sheep, hogs and horses from *Horn Flies, Face Flies, House Flies, Mosquitoes and Gnats:* Apply a light mist sufficient to wet the surface of the hair. For face flies, spray face and head, but do not spray into eyes.

TO CONTROL STABLE FLIES, HORSE FLIES AND DEER FLIES:

Apply at a rate of 2 ounces per adult animal, sufficient to wet the hair thoroughly.

TO CONTROL BLOOD-SUCKING LICE: Apply to the infested areas of the animal, using a stiff brush to get the spray to the base of the hair. Repeat every 3 weeks if required.

TO CONTROL POULTRY LICE: Spray roosts, walls and nests or cages thoroughly. This should be followed by spraying over the birds with a fine mist.

TO CONTROL BEDBUGS AND MITES IN POULTRY HOUSES: Spray crevices of roost poles, cracks in walls, and cracks in nests where the bedbugs and mites hide.

ON DOGS:

TO CONTROL FLEAS, TICKS, AND LICE: Start spraying at the tail, moving the dispenser rapidly and making sure that the animal's entire body is covered, including the legs and underbody. While spraying, fluff the hair so that the spray will penetrate to the skin. Make sure spray wets thoroughly, but do not saturate animal. Do not spray into eyes or face. Avoid contact with genitalia. Use protective gloves or mitts when applying product. NOTE: Do not use on puppies less than twelve (12) weeks old. Do not use on old, sick, debilitated, medicated, pregnant, or nursing animals. DO NOT USE ON CATS OR KITTENS. Sensitivities may occur after using ANY pesticide product for pets. If signs of sensitivity occur, bathe your pet with mild soap and rinse with large amounts of water. If signs continue, consult a veterinarian immediately.

OUTDOOR APPLICATION:

TO CONTROL TICKS, INCLUDING TICKS WHICH MAY CARRY LYME DISEASE (PERIMETER TREATMENT): Use this product as a residual treatment to control *Ticks* including the *Deer Tick (Ixodes dammini), Lone Star Tick (Amblyomma americanum), Brown Dog Tick (Rhipicephalus sanguineus), American Dog Tick (Dermacentor variabilis)* and *Western Black-legged Tick (Ixodes pacificus).*

For each area listed below, apply until surface is wet but not to the point of runoff (approximately 1 gallon/750-1,000 ft²).

Treat around windows and doors, porches, screens, eaves, patios, garages, under stairways and in crawl spaces where these pests may enter.

Treat a band of vegetation and leaf litter 6 to 10 feet wide around and the outside of buildings to help control ticks occurring there.

To help control ticks in outdoor activity areas, treat a band of vegetation and leaf litter 6 to 10 feet wide and adjacent to activity areas, especially where dense vegetation occurs.

FOR CONTROL OF GARDEN INSECTS:

For use on roses, dahlias, asters and other ornamentals to kill Japanese Beetles hit by spray as well as Whiteflies, Aphids, Exposed Thrips, Spiders, Red Mites and Leafminers. May be used on plants as a multi-purpose spray in small gardens and for spot treatments of incipient insect infestations to prevent spreading in large garden areas. May also be used on other plants such as African violets, asters, azaleas, begonias, camellias, carnations, chrysanthemums, dahlias, delphiniums, dogwoods, English ivy, eunonymus, fuschia, geraniums, crassula, grape vines, Kentia palms, laurels, marigolds, rhododendrons, roses, rubber plants, snapdragons, stocks, wandering Jews and zinnias.

EFFECTIVE WHEN USED AS DIRECTED AGAINST WHITEFLIES, APHIDS, SPIDER AND RED MITES, EXPOSED THIRPS, LACE BUGS, JAPANESE BEETLES, PAVEMENT ANTS, CLOVER MITES AND ARMYWORMS: When spraying plants, do not operate closer than 18 inches. Use sweeping motion. Be cautious about wetting tender foliage, young plants and new growth. Do not spray plants when temperatures exceed 90°F. Contact insects directly whenever possible.

Not for use in residential automatic misting systems in New York State.

ADULT MOSQUITO CONTROL: Apply as a fine mist to thoroughly treat the entire area. For best results, treat when the wind velocity does not exceed 5 miles per hour, but do not apply when wind speeds exceed 10 miles per hour. Treat shrubbery or vegetation where mosquitoes may rest. Apply at a rate of 2.5 pints per acre (0.9 ounce per 1000 sq. ft.) Using truck mounted conventional misting (Ultra Low Volume or ULV) equipment traveling at 5 mph to treat a 300 foot swath, calibrate equipment to deliver 0.95 gallons per minute. Under no conditions should open water be treated with this product. Not to be used within 100 feet (30 meters) of lakes and streams.

Buyer assumes all risks of use, storage or handling of this product not in strict accordance with directions given herewith.

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*Words in Italics are for reference only.
Words in [] are alternative language.
Words in { } are optional language.*

OPTIONAL INFORMATION AND GRAPHICS

- Crack and Crevice Insecticide
- Ready-To-Use Insecticide
- To Control Fleas, Mosquitoes, Ticks and Lice
- An Insecticide For Dogs
- To Control Stable Flies, Horse Flies, Deer Flies, Mosquitoes, Fleas, Ticks, Gnats and Lice
- An Insecticide For Horses
- Kills [Controls] flying and crawling insects
- Just spray where they [insects] crawl
- Kills [Controls] *any or all of the following:* cockroaches, centipedes, ants, spiders, wasps, hornets, bees, houseflies, mosquitoes, black flies, Japanese beetles, carpet beetles, bedbugs {and many others}



Athea Laboratories Inc
Product Name: Permicide
EPA REG. NO. 10088-95

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